

Message Text

UNCLASSIFIED

PAGE 01 STATE 204762
ORIGIN OES-07

INFO OCT-01 EUR-12 EA-12 ISO-00 NRC-07 IO-14 FEA-01
ACDA-10 CIAE-00 INR-07 L-03 NSAE-00 NSC-05 EB-08
DODE-00 ERDA-07 SS-15 SP-02 /111 R

DRAFTED BY NRC:MPETERSON/OES/NET/IM:DCOOPER
APPROVED BY OES/NET/IM:DCOOPER
EA/ANP - T WAJDA
EUR/RPE - SALISBURY
IO/SCT - A JILLSON
EUR/CAN - C CLEMENT
EA/J - S ECTON

-----081831 270254Z /65

P 262101Z AUG 77
FM SECSTATE WASHDC
TO AMEMBASSY BONN PRIORITY
AMEMBASSY LONDON PRIORITY
AMEMBASSY PARIS PRIORITY
AMEMBASSY TOKYO PRIORITY
AMEMBASSY THE HAGUE PRIORITY
AMEMBASSY BRUSSELS PRIORITY
AMEMBASSY ROME PRIORITY
AMEMBASSY MADRID PRIORITY
AMEMBASSY CANBERRA PRIORITY
AMEMBASSY OTTAWA PRIORITY
INFO AMEMBASSY VIENNA PRIORITY

UNCLAS STATE 204762

USIAEA

E.O. 11652: NA

TAGS: TECH, ENGR

SUBJECT: PROPOSED UPGRADE OF U.S. PHYSICAL SECURITY
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1. THE U.S. NUCLEAR REGULATORY COMMISSION (NRC) IS CON-
SIDERING THE ADOPTION OF REVISED REGULATIONS WHICH WOULD
UPGRADE U.S. REQUIREMENTS FOR THE PROTECTION OF FORMULA
QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL IN
TRANSPORT AND AT FIXED SITES.

(A) STRATEGIC SPECIAL NUCLEAR MATERIAL (SSNM) IS DEFINED AS URANIUM-235 (CONTAINED IN URANIUM ENRICHED TO 20 PERCENT OR MORE IN THE U-235 ISOTOPE), URANIUM-233, OR PLUTONIUM.

(B) FORMULA QUANTITY IS DEFINED AS STRATEGIC SPECIAL NUCLEAR MATERIAL IN ANY COMBINATION IN A QUANTITY OF 5,000 GRAMS OR MORE COMPUTED BY THE FORMULA GRAMS EQUALS (GRAMS CONTAINED U-235 PLUS 2.5 (GRAMS U-233 PLUS GRAMS PLUTONIUM)).

2. IN MARCH 1977, THE NRC PUBLISHED FOR COMMENT A PROPOSED NEW PARTS 11 OF TITLE 10 OF THE U.S. CODE OF FEDERAL REGULATIONS WHICH WOULD REQUIRE SECURITY CLEARANCES FOR PERSONS HAVING ACCESS TO OR CONTROL OVER SPECIAL NUCLEAR

MATERIAL. IN JULY 1977, NRC PUBLISHED FOR COMMENT PROPOSED AMENDMENTS TO 10 CFR PART 73 WHICH WOULD UPGRADE DOMESTIC SAFEGUARDS FOR FORMULA QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL. COPIES OF PROPOSED AMENDMENTS WILL BE FORWARDED IN AN AIRGRAM. IT IS IMPORTANT TO NOTE THAT THESE ARE PROPOSED RULES FOR PUBLIC COMMENT AND DO NOT NECESSARILY REPRESENT THE FINAL RULES WHICH THE COMMISSION WILL ADOPT. AT THE CLOSE OF THE PUBLIC PROCEEDING IT WILL REVIEW COMMENTS RECEIVED AND MAKE MODIFICATIONS TO THE PROPOSED RULES, AS APPROPRIATE.

3. THE NRC HAS ASKED THE DEPARTMENT AND OTHER INTERESTED UNCLASSIFIED

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EXECUTIVE BRANCH AGENCIES FOR VIEWS ON THE INTERNATIONAL IMPLICATIONS OF THE PROPOSED NEW REGULATIONS INCLUDING, PARTICULARLY, THE PROPOSED PROVISIONS DEALING WITH UPGRADED PROTECTION REQUIREMENTS FOR EXPORTS FROM AND IMPORTS TO THE U.S. OF FORMULA QUANTITIES OF SSNM. THE DEPARTMENT IS CURRENTLY COORDINATING THIS REVIEW EFFORT.

4. TO COMPLETE OUR REVIEW OF THE NRC PROPOSED RULES AND TO PROVIDE THE NRC THE BENEFIT OF THE VIEWS OF OUR NUCLEAR TRADING PARTNERS, WE REQUIRE INFORMATION WITH RESPECT TO THE IMPACT SUCH RULES WOULD HAVE ABROAD WITH PARTICULAR REFERENCE TO THOSE AREAS DETAILED BELOW:

(A) THE PROVISIONS OF THE UPGRADE RULE WHICH WOULD REQUIRE THREE ARMED GUARDS TO ACCOMPANY ALL SSNM EXPORT SHIPMENTS UP TO THE PORT OF ENTRY IN THE RECIPIENT COUNTRY.

(B) THE PROVISION OF THE UPGRADE RULE WHICH WOULD REQUIRE THAT THREE ARMED GUARDS ACCOMPANY IMPORT SHIPMENTS OF SSNM FROM THE LAST FOREIGN TERMINAL TO THE PORT OF UNLOADING IN THE U.S.

(C) THE PROVISION OF THE CLEARANCE RULE WHICH WOULD REQUIRE SECURITY CLEARANCES FOR ESCORTS OF SSNM SHIPMENTS AND FOR PILOTS OF AIRCRAFT TRANSPORTING SSNM. (SUCH CLEARANCES ARE ISSUED BY NRC ON BASIS OF FULL-FIELD BACKGROUND INVESTIGATION BY U.S. CIVIL SERVICE COMMISSION; IN PRINCIPLE, THEY COULD BE GRANTED TO NON-U.S. CITIZENS.)

5. WE ARE PARTICULARLY INTERESTED IN HOST COUNTRIES REACTION TO THE PROPOSED PROVISIONS, INCLUDING ANY POSSIBLE LEGAL IMPEDIMENTS TO IMPLEMENTING SUCH REQUIREMENTS, AND THEIR VIEWS ON ANY OTHER INTERNATIONAL IMPLICATIONS OF THE PROPOSED UPGRADE RULE.

6. THE DEPARTMENT THEREFORE REQUESTS THAT POSTS BRING UNCLASSIFIED

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THE PROPOSED NUCLEAR SAFEGUARDS RULES TO THE ATTENTION OF THE APPROPRIATE GOVERNMENT OFFICIALS AND SOLICIT THEIR VIEWS ON ABOVE MATTERS. COMMENTS SHOULD BE SUBMITTED BY SEPTEMBER 15. (FYI. THE PUBLIC COMMENT PERIOD FOR THE PROPOSED UPGRADE RULE HAS BEEN EXTENDED TO SEPTEMBER 19, 1977. THE DEPARTMENT WILL ATTEMPT PROVIDE ITS COMMENTS TO THE NRC BEFORE THE END OF THE PUBLIC COMMENT PERIOD.)

7. HOST COUNTRIES SHOULD PROVIDE COMMENTS TO POSTS, FOR TRANSMITTAL TO THE DEPARTMENT, EITHER IN FORM OF UNCLASSIFIED COMMENTS (WHICH THE DEPARTMENT WOULD INTEND TO MAKE PART OF THE PUBLIC RECORD IN THE NRC RULEMAKING) OR IN FORM OF CLASSIFIED COMMENTS OR COMMENTS WHICH THE HOST COUNTRY MAY WISH TO PROVIDE IN CONFIDENCE WHICH THE DEPARTMENT COULD DRAW ON IN PROVIDING ITS OWN VIEWS TO THE NRC. CHRISTOPHER

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ORIGIN EUR-03

INFO OCT-01 ISO-00 /004 R

66011
DRAFTED BY:EUR:RPE:WRSALISBURY

APPROVED BY:EUR:RPE:ROHOMME

-----108299 300800Z /14

R 292125Z AUG 77

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS

UNCLAS STATE 204762

FOR USEEC

FOLLOWING TELEGRAM FROM SECSTATE WASHDC DATED AUGUST 26, 1977 SENT BONN, LONDON, PARIS, TOKYO, THE HAGUE, BRUSSELS, ROME, MADRID, CANBERRA, OTTAWA INFO VIENNA IS REPEATED TO YOU: QUOTE

UNCLAS STATE 204762

USIAEA

E.O. 11652: NA

TAGS: TECH, ENGR

SUBJECT: PROPOSED UPGRADE OF U.S. PHYSICAL SECURITY

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3. THE NRC HAS ASKED THE DEPARTMENT AND OTHER INTERESTED EXECUTIVE BRANCH AGENCIES FOR VIEWS ON THE INTERNATIONAL IMPLICATIONS OF THE PROPOSED NEW REGULATIONS INCLUDING, PARTICULARLY, THE PROPOSED PROVISIONS DEALING WITH UPGRADED PROTECTION REQUIREMENTS FOR EXPORTS FROM AND IMPORTS TO THE U.S. OF FORMULA QUANTITIES OF SSNM. THE DEPARTMENT IS CURRENTLY COORDINATING THIS REVIEW EFFORT.

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(B) THE PROVISION OF THE UPGRADE RULE WHICH WOULD REQUIRE THAT THREE ARMED GUARDS ACCOMPANY IMPORT SHIPMENTS OF SSNM FROM THE LAST FOREIGN TERMINAL TO THE PORT OF UNLOADING IN THE U.S.

(C) THE PROVISION OF THE CLEARANCE RULE WHICH WOULD REQUIRE SECURITY CLEARANCES FOR ESCORTS OF SSNM SHIPMENTS AND FOR PILOTS OF AIRCRAFT TRANSPORTING SSNM. (SUCH CLEARANCES ARE ISSUED BY NRC ON BASIS OF FULL-FIELD BACKGROUND INVESTIGATION BY U.S. CIVIL SERVICE COMMISSION; IN PRINCIPLE, THEY COULD BE GRANTED TO NON-U.S. CITIZENS.)

5. WE ARE PARTICULARLY INTERESTED IN HOST COUNTRIES REACTION TO THE PROPOSED PROVISIONS, INCLUDING ANY POSSIBLE LEGAL IMPEDIMENTS TO IMPLEMENTING SUCH REQUIREMENTS, AND THEIR VIEWS ON ANY OTHER INTERNATIONAL IMPLICATIONS OF THE PROPOSED UPGRADE RULE.

6. THE DEPARTMENT THEREFORE REQUESTS THAT POSTS BRING THE PROPOSED NUCLEAR SAFEGUARDS RULES TO THE ATTENTION OF THE APPROPRIATE GOVERNMENT OFFICIALS AND SOLICIT THEIR VIEWS ON ABOVE MATTERS. COMMENTS SHOULD BE SUBMITTED BY

SEPTEMBER 15. (FYI. THE PUBLIC COMMENT PERIOD FOR THE PROPOSED UPGRADE RULE HAS BEEN EXTENDED TO SEPTEMBER 19, 1977. THE DEPARTMENT WILL ATTEMPT PROVIDE ITS COMMENTS TO THE NRC BEFORE THE END OF THE PUBLIC COMMENT PERIOD.) UNCLASSIFIED

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PHYSICAL SECURITY, REGULATIONS, NUCLEAR SAFEGUARDS, SECURITY CLEARANCES
Control Number: n/a
Copy: SINGLE
Sent Date: 26-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: MPETERSON/OES/NET/IM:DCOOPER
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770310-0289
Format: TEL
From: STATE
Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t19770817/aaaaaobs.tel
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Litigation History:
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Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1465098
Secure: OPEN
Status: NATIVE
Subject: PROPOSED UPGRADE OF U.S. PHYSICAL SECURITY UNCLASSIFIED UNCLASSIFIED
TAGS: TECH, ENRG
To: BONN LONDON MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/49f3df51-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
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